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DEQ
Environmental Response & Remediation



W2318906

When recorded return to:
Utah Department of Environmental Quality
Division of Environmental Response and Remediation
Attention: Voluntary Program Coordinator
168 North 1950 West
Salt Lake City, Utah 84116

E# 2318906 PG 1 OF 7
ERNEST D ROWLEY, WEBER COUNTY RECORDER
31-JAN-08 2:19 PM FEE \$0.00 DEP LF
REC FOR: UT DEPT ENVIR QUALITY

**RE: Newell Window Furnishings, Inc. Voluntary Cleanup Site (VCP # C042)
1330 West 3300 South, Ogden, Utah**

CERTIFICATE OF COMPLETION

1. Compliance with Terms of Voluntary Cleanup Program

The Executive Director of Utah Department of Environmental Quality (UDEQ), through his undersigned designee below, has determined that Newell Window Furnishings, Inc. and First Industrial Acquisitions, hereinafter referred to as the "Applicant," has completed a Utah Department of Environmental Quality supervised voluntary cleanup of the real property described in Attachment A (the "Property"), in accordance with sections 19-8-108 and 19-8-110 of the Utah Code Ann. and the Voluntary Cleanup Agreement entered into on September 21, 2005, and amended on July 3, 2007, and that Newell Window Furnishings, Inc. and First Industrial Acquisitions are granted this Certificate of Completion ("COC") pursuant to section 19-8-111, subject to the conditions set forth in paragraph three below. A figure depicting the location of the Property is included in Attachment B.

2. Acknowledgment of Protection From Liability

This COC acknowledges protection from liability provided by section 19-8-113 of the Utah Code Ann. to an Applicant who is not responsible for the contamination under the provisions listed in subsection 19-8-113(1)(b) at the time the Applicant applies to enter into a Voluntary Cleanup Agreement and to future owners who acquire property covered by this COC and to lenders who make loans secured by the property covered by the COC.

As set forth in section 19-8-113, this release of liability is not available to an owner or lender who was originally responsible for a release or contamination or to an owner or lender who changes the land use from the use specified in the COC, if the changed use or uses may reasonably be expected to result in increased risks to human health or the environment, or to an owner or lender who causes further releases on the Property. Also, there is no release from liability if the COC is obtained by fraud, misrepresentation or the failure to disclose material information.

Finally, protection from liability is limited to contamination that may be related to the Property as identified in documents outlining the investigation and cleanup of the Property.

3. Specified Land Use for Certificate of Completion

This COC is issued based upon the Applicant's representation that the Property will be used for commercial or light industrial purposes consistent with the industrial/commercial worker exposure scenario as described in the Risk Assessment Guidance for Superfund, Volume I Human Health Evaluation, Parts A and B. The commercial/industrial exposure scenario is defined as exposure to adults to incidental ingestion and dermal contact to hazardous constituents for a duration of 25 years at a frequency of 250 days a year for eight hours a day.

Future use of the Property that was represented in the Voluntary Cleanup Program Application and approved includes continuation of the current industrial manufacturing operations. This COC is not issued for uses of the Property that include managed care facilities, hospitals or residential uses (including caretakers that live on the Property) or for day care and school facilities that may expose children to hazardous constituents for extended periods of time. Additional investigation and possible remediation would be required and the COC amended to allow for those uses. Since those uses were neither represented nor approved, they would eliminate the release of liability and coverage of the COC described in paragraph two above.

Groundwater located beneath the Property will not be accessed via wells, pits, sumps or other means for the purpose of irrigation, drinking or bathing.

4. Unavailability of Release of Liability

This COC is issued based upon continued compliance with the COC. Use of the Property that is not consistent with paragraph three shall constitute a change in land use expected to result in increased risks to human health/the environment making the release of liability in paragraph two unavailable.

5. Availability of Records

All documents discussed in this COC are on file and may be reviewed at the UDEQ/Division of Environmental Response and Remediation (DERR) office located at 168 North 1950 West, Salt Lake City, Utah.

6. Final Signature for Newell Window Furnishings, Inc. Certificate of Completion

Dated this 23RD day of JANUARY 2008.

Brad T Johnson

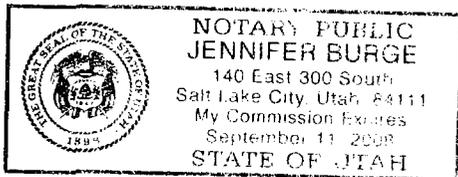
Brad T Johnson, Director
Division of Environmental Response and Remediation
And Authorized Representative of the
Executive Director of the Utah
Department of Environmental Quality

STATE OF UTAH _____)

:ss.

COUNTY OF Salt Lake)

On this 23 day of January, 2008, personally appeared before me, Brad T Johnson
who duly acknowledged that he/she signed the above Certification of Completion as an authorized
representative of the Executive Director of the Utah Department of Environmental Quality.



Jennifer Burge
NOTARY PUBLIC
Residing At: Salt Lake City

My Commission Expires 9-11-08

ATTACHMENT A.

**Newell Window Furnishings, Inc.
Legal Property Description**

**Newell Window Furnishings, Inc.
1330 West 3300 South
Ogden, Utah**

Legal Property Description:

The property includes only the Overspill UST as defined by the following description:

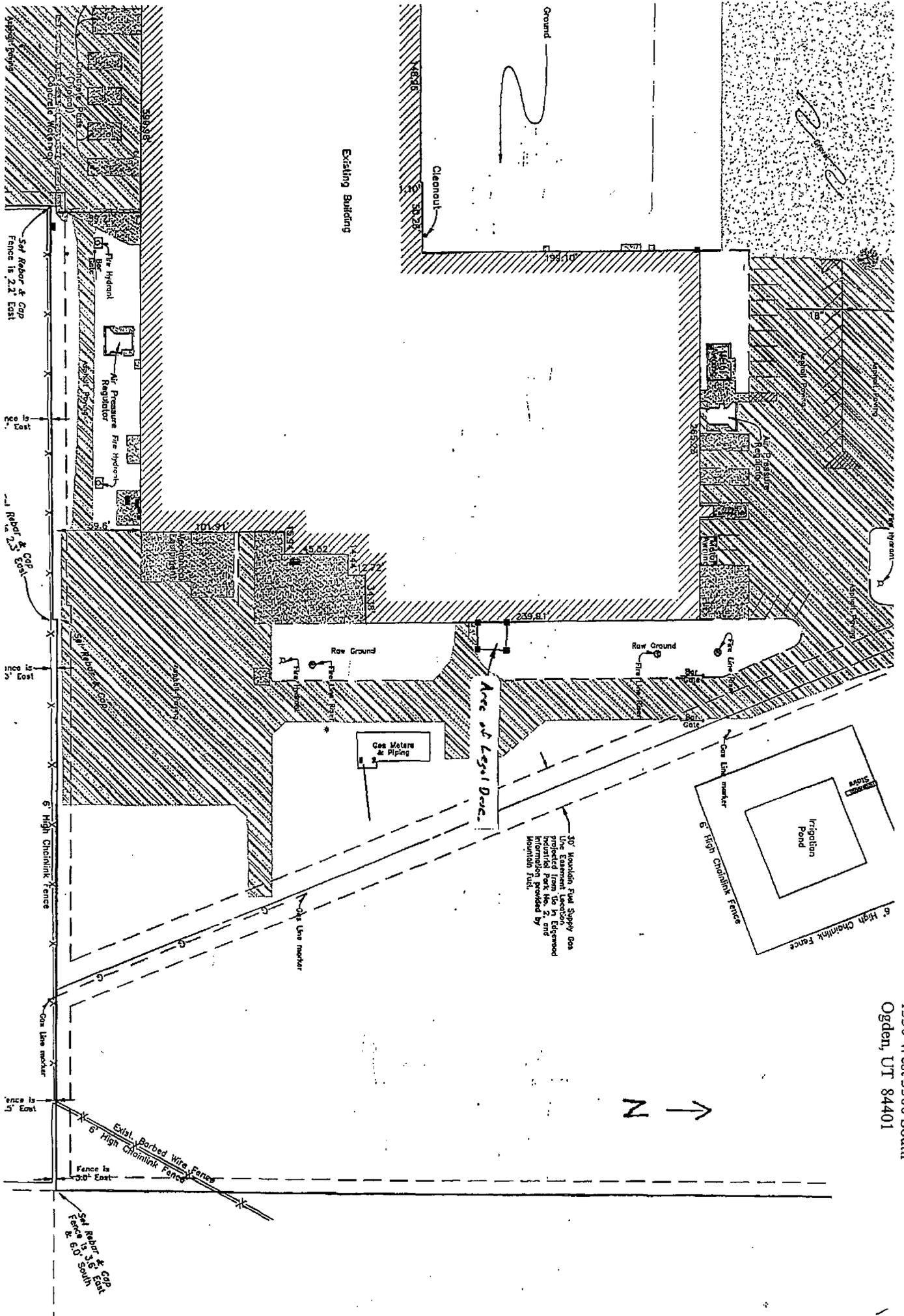
A part of the Southeast Quarter of Section 36, Township 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point 1629.81 feet North 89°50'28" West along the Section line and 917.49 feet North 0°09'32" East from the Southeast corner of said Quarter Section; and running thence South 89°59'53" West 20.83 feet; thence North 0°43'24" East 20.13 feet; thence South 87°43'33" East 20.59 feet; thence South 0°00'11" West 19.31 feet to the point of beginning. Contains 408 square feet.

Property Tax Identification Number: 15-099-0006

ATTACHMENT B.

**Newell Window Furnishings, Inc.
Property Location Map**



Newell Window Furnishings Facility
 1330 West 3300 South
 Ogden, UT 84401